



12-01-05

1623

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Express Mail No. EV475141904US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Application of: Vournakis *et al.*

Confirmation No.: 2779

Serial No.: 09/781,182

Art Unit: 1623

Filed: February 12, 2001

Examiner: Patrick T. Lewis

For: COMPOSITIONS AND METHODS  
FOR MODULATION OF VASCULAR  
STRUCTURE AND/OR FUNCTION

Attorney Docket No: 7867-022-999

**INTERVIEW SUMMARY**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to MPEP § 713.04, Applicants submit the following statement of the substance of the telephone interview, initiated by Applicants, of 31 October 2005 ("the Interview") between Examiner Patrick T. Lewis and Applicants' representative, Michael J. Ryan, in connection with the above-identified patent application. Examiner Lewis' summary of the Interview was transmitted to Applicants on November 2, 2005.

On October 31, 2005, Applicants' representative telephoned Examiner Lewis concerning the above-identified application and the only remaining objection to the claims. Applicants submitted by facsimile a set of proposed claims (Exhibit A) with amendments believed to overcome the remaining objection. The submitted claims were accompanied by a set of Remarks setting forth where written description support for the proposed claims can be found in the specification as originally filed. The proposed claims and support were reviewed by Examiner Lewis, who then transmitted to Applicants' representative for review, a draft Examiner's amendment (Exhibit B), that would serve to amend the claims as proposed by Applicants. The draft Examiner's Amendment served as the basis for the Interview later that

day. During the Interview, Applicants' representative, Mr. Ryan, authorized entry of the Examiner's Amendment.

Applicants respectfully request that the present statement be entered and made of record in the instant application.

Applicants believe that no fee is due for this submission. However, if the Commissioner should determine that a fee is due, please charge the required amount to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: November 29, 2005

Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)

By: Michael J. Ryan 41,283  
Michael J. Ryan (Reg. No.)

**JONES DAY**  
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## Fax Cover Sheet

Date: 31 Oct 2005

To: Michael J. Ryan	From: Patrick T. Lewis
Application/Control Number: 09/781,182	Art Unit: 1623
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Voice No.: 212-326-3939	Return Fax No.: (703) 872-9306
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## Comments:

Please give me a call back to confirm the text of the Examiner's Amendment.

Number of pages 3 including this page

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**\*\*\*DRAFT EXAMINER'S AMENDMENT\*\*\***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Ryan on October 31, 2005.

The application has been amended as follows:

In claim 39, line 2, the phrase "modulation of vascular structure and/or function" has been deleted and the phrase ---physiological response--- has been inserted therefor; in line 1, the term "porous" has been deleted; in line 7, the text --- wherein the non-barrier forming material is in the form of a solution, a suspension, an emulsion, a spray, or a foam,--- has been inserted; in line 8, the phrase "modulation of vascular structure and/or function" has been deleted and the phrase ---physiological response selected from the group consisting of stimulation of endothelin-1 release, vasoconstriction, and reduction in blood flow out of a breached vessel--- has been inserted therefor.

Claim 50 has been canceled.

In claim 51, line 1, the term "porous" has been deleted.

In claim 52, lines 1-2, the phrase "vascular structure is" has been deleted and the phrase ---the physiological response affects--- has been inserted therefor.

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In claim 55, line 2, the phrase "modulation of vascular structure and/or function" has been deleted and the phrase --physiological response-- has been inserted therefor.

In claim 59, line 4, the term "porous" has been deleted; in line 7, the text -- wherein the non-barrier forming material is in the form of a solution, a suspension, an emulsion, a spray, or a foam,-- has been inserted.



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October 31, 2005

Please hand deliver the following facsimile to:

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Company: USPTO, Art Unit 1623

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Re: Application Serial No. 09/781,182 filed February 12, 2001

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### Message:

Dear Examiner Lewis,

Pursuant to your request this morning, attached is a draft set of amended claims for you review. Please let me know if you should need any further information at this time. If not, I look forward to your response.

Sincerely,

Michael J. Ryan

*Michael J. Ryan*  
Reg No. 41283

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